

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

|  |   |                           |
|--|---|---------------------------|
| Shaheen Cabbagestalk, # 295567,                | ) | C/A No. 5:13-3493-RMG-KDW |
|  | ) |                           |
| Plaintiff,                                     | ) |                           |
|  | ) |                           |
| vs.  | ) | ORDER                     |
|  | ) |                           |
| Judge John Davis, of Dillon County Magistrate, | ) |                           |
|  | ) |                           |
| Defendant.                                     | ) |                           |
|  | ) |                           |

This is a civil action filed by a state prisoner. Therefore, in the event that a limitations issue arises, Plaintiff shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to district court). Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

**MOTION TO RETURN BONDS:**

Plaintiff submitted a Motion in which he reiterates his assertions raised in his Complaint regarding the bond set by Defendant and asks this court to order that the disputed bond be returned to him. ECF No. 3. In light of the recommendation contained in the Report and Recommendation issued contemporaneously with this Order, this Motion is **denied**.

**TO THE CLERK OF COURT:**

Unless Plaintiff pays the full filing fee within the time permitted by the court, this case is subject to summary dismissal under the three-strikes rule. Therefore, the Clerk of Court shall ***not*** issue any summonses nor shall the Clerk of Court forward this matter to the United States Marshal for service of process at this time.

IT IS SO ORDERED.



February 24, 2014  
Florence, South Carolina

Kaymani D. West  
United States Magistrate Judge